



06-07-07

RCE-

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PTO/SB/30 (09-06)

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/631,149
Filing Date	07/31/2003
First Named Inventor	BLANKENSHIP, PHILLIP B., ET AL.
Art Unit	1775
Examiner Name	MILLER, DANIEL
Attorney Docket Number	M7285.023

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a
- a. ☐ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 13-0470. I have enclosed a duplicate copy of this sheet.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ \$1,240.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Molly D. McKay</i>	Date	6/6/07
Name (Print/Type)	MOLLY D. MCKAY	Registration No.	35,609

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Molly D. McKay</i>	Date	6/6/07
Name (Print/Type)	MOLLY D. MCKAY		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PHILLIP B. BLANKENSHIP, ET AL.

Serial No: 10/631,149

Filed: 07/31/2003

For: REFLECTIVE CRACK RELIEF
PAVEMENT INTERLAYER
WITH IMPROVED LOAD
BEARING CAPACITY
AND METHOD FOR
DESIGNING INTERLAYER

Examiner: DANIEL MILLER

Art Unit No: 1775

EXPRESS MAIL [®] MAILING LABEL NUMBER EV859446466 US
DATE OF DEPOSIT: <u>June 6, 2007</u>
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP RCE, COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA VA 22313-1450.
MOLLY D. MCKAY
TYPED OR PRINTED NAME OF PERSON MAILING
<i>Molly D. McKay</i>
SIGNATURE OF PERSON MAILING PAPER OR FEE

**REQUEST FOR CONTINUED EXAMINATION AND RESPONSE TO OFFICE
ACTION OF DECEMBER 6, 2006**

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Dear Sirs:

Enclosed is a Request for Continued Examination and a check in the amount of \$1,810.00 which represents the \$790.00 RCE fee at the large entity rate and 3 months extension for response fee \$1,020.00 also at the large entity rate.

This correspondence is in response to the office action issued on December 6, 2006. Please amend the claims as shown on the attached sheets. 1020.00 CP